

MINUTES OF THE VIGO COUNTY COUNCIL

November 21, 2006

Sheriff Jon Marvel called meeting to order at 7:02 P.M.

Sheriff Jon Marvel led the Pledge of Allegiance.

Ms. Kylissa Miller, Chief Deputy Auditor, took roll call and all council members were present.

The chair declares a quorum.

Mr. Tim Curley entertained a motion to correct the October 17, 2006 Council Meeting minutes. The minutes stated all members voted aye for the 2007 Council Salary Ordinance, however, Mr. Tim Curley and Mr. Turk Roman voted nay. Mr. Hellmann entertained a motion for approval of the corrected October 17, 2006 Council Meeting Minutes. Mr. Darrick Scott moves to accept the amended minutes. Mr. Turk Roman seconds the motion. The motion was unanimously adopted.

Comments from the public.

Mr. John Mutchner, Chairman of Wabash River Development Committee, spoke to inform the Council of the progress that has been made by he and a Citizens Committee over the last year and a half. The committee is operating on its own doing research on developing both sides of the Wabash River. The development would extend Hulman Street to the river and run a road parallel to the river up to Fairbanks Park. The plan includes the opportunity for private development of condominiums, restaurants, etc.

Mr. Max Miller also spoke on the development research. He has been looking into 1,187 acres that is currently farmland, which is farmed by one person and owned by four families. Development research includes 650 of the acres in the Northwest section to become wetlands by working with the Federal Government for a Wetland Reserve Program. This area could also include trails, a Bird Sanctuary, educational sites for students from elementary to college. This type of development is being done throughout the state.

Mr. Mutchner added the hopes of the development of a pedestrian bridge over the river leading to a pedestrian park and a 500-acre lake. In addition, thirty-eight different public agencies, government agencies, foundations, and possibilities for grant money have been identified that would help with funding. Local money will also be needed which is not being asked for at this time. They will be back in the future to ask for support with votes, as well as financially.

Communication from elected officials of the County:

Commissioner Judith Anderson was glad to see the council chambers full and that citizens are being informed. Ms. Anderson was also glad to see the Central Dispatch up and running smoothly. Also, the 641 Bypass Project is moving along and is now a vision and there is continued growth in the Industrial Park. In addition, the Purchasing Plan for supplies for the county is in the works.

Commissioner William Bryan expressed that it has been a pleasure to work with this council for the last two years.

Sheriff Jon Marvel reported that Central Dispatch has now been operating for about one month and is working well. Even though there have been two issues with the new tower, overall, there has been no noticeable disruption in the service. Mr. Marvel thanked Deputy Chief Greg Ewing and Deputy Jeff Fox for their work on the project.

Communications from other officials or agencies.

Fire Protection District leaders from Honey Creek, Sugar Creek, and Riley were present.

Mr. Will Frankel, Attorney representing Honey Creek Fire Protection District (HCFPD) expressed the need for \$425,000.00 budget increase. This additional appropriation amount would be a 33% increase that is needed to keep up with the substantial growth in the Industrial Park. Funding has not kept pace with the increased growth in order to maintain nine full time firefighters.

Mr. Rick Jenkins, a local contractor, expressed the idea to annex the Industrial Park into the HCFPD. He stated the State Representatives and the Senate passed legislation allowing an increase in the levy. According to Jenkins, if the levy is not increased, the residents of Honey Creek Township will go backwards. Mr. Jenkins is asking Council to consider the resolution asked for, to increase the levy in order to continue to provide fire protection that's required for industrial growth and growth to this community.

Mr. Mike Morris asked the percentage of the increase in the levy.

Mr. Will Frankel replied approximately 50%.

Mr. Brad Anderson recalled when the Industrial Park was being developed, the County asked the HCFPD to step up to the plate to build a new firehouse and they did.

Mr. Bob Hellmann discussed future cuts imposed by the State. Mr. Hellmann commented that we have a requirement from the State that we no longer assess inventory, effective next budget, the budget year being discussed. County is facing a reduction in Personal Property Assessed Value due to inventory. Also, State Welfare bill is increasing in Family and Children. The next year, 2008, we will lose the rest of Business Personal Property that is not inventory. The effect of the Circuit Breaker, 2% limitation on Assessed Value, the property tax bill cannot exceed 2% of Assessed Value. This affects residential property for 2007 pay 2008, which is about 60% of all AV in the county. In 2009 pay 2010, the rest of the business property that remains after inventory and abated business equipment, that then falls off. The 2% cap on AV, every taxing district in the county produces about 2.5% of the General Fund revenues. This 2% cap costs the City of Terre Haute 20% of its General Fund revenues.

If \$450,000 is raised to fund HCFPD, at least 78% of it will be subtracted from the Library, the Airport, VCSC, and Vigo County.

The Circuit Breaker is causing some chaos around the State, and constrains the ability to give the relief Mr. Hellmann personally thinks is needed. The county has a fiscal crisis coming; it is a problem of laying off 10% percent of the workforce in the county.

Mr. Hellmann advises the HCFPD continues as it is doing and defer expansion until this time next year.

Mr. Darrick Scott commented that the Circuit Breaker directly affects the taxation level at the local amount. The State is saving money and passing the responsibility to the county level to increase taxes or implement new taxes.

Mr. Rick Jenkins suggested the answer is to increase assessed valuation. The county is starting to grow and he would like it to continue.

Mr. Turk Roman pointed out that the county is growing industrially, but has lost population. We are not growing in population; we are not increasing our base.

Mr. Vern Tinch, State Representative of the 46th District explained how he has worked with Senator Waterman to pass legislation for HCFPD. There are no remonstrators in either HCFPD or Riley Fire Protection District (RFPD). Inventory Tax will affect taxpayers payable in 2008, and is significant in Vigo County. The Circuit Breaker will affect 95% of the counties in the State. The Census Bureau reported 90% of counties will be adversely affected. Fire protection districts would probably like to take a chance to get the increase in the levy now and hope the Circuit Breaker is repealed. Mr. Tinch urges to restore the funding, to take a chance that the Indiana General Assembly will do something in 2007, he anticipates the amendment on the Circuit Breaker language will probably be in that budget. The Budget is the only bill they will need to pass in 2007, and Governor Daniels will see that they pass a budget

Mr. Mike Morris asked Mr. Tinch if a Local Sales Tax or an increase in Income Tax is likely.

Mr. Tinch thinks it will be a proposal eventually, probably take schools off of property taxes, let the State pay for it, since the Indiana Constitution says the State shall provide a free public education. And then allow property taxes to run local government. That is what they are working toward. They have studied property taxes since he has been there and several recommendations have been made, but none have evolved.

Local Option Sales Tax is most likely, it would be advantageous to Vigo County, however, smaller counties would not benefit if they do not have shopping areas. The fair way to do it is increase the sales tax and let the State collect it and distribute it back to the counties.

Mr. Turk Roman asked where the money would come from if the State were to assume the responsibility for funding public education.

Mr. Tinch replied that it would cost another \$3 billion, which would be 3% on the Sales Tax or 3% on the Individual Income Tax, or a combination thereof.

Mr. Joseph Shackelford, HCFPD, would like the Council to consider the amount of property they protect that does not pay taxes and is included in the Honey Creek Township District. These properties include Dixie Bee Elementary School, Honey Creek Middle School, Gibault School, Ivy Tech's main Campus and Auxiliary Building, the Industrial Park, and fourteen houses of worship.

Mr. Jeff Fox, Chief of the Riley Fire Protection District made correction in amount of the budget request. He is asking for \$249,375.00, not \$554,700.00, in order to keep running the firehouse as it is today. Not asking for additional staff or equipment.

Reports from standing committees.

There were none.

Personnel

There were none.

Budget Adjustment, Transfers, and Appropriations.

Additional Appropriation Ordinance 2006-36

- **Adult Protective Services**
Mr. Tim Curley made motion to approve \$635.00 to new position 411-30 Investigator. Mr. Turk Roman seconds.
- **Sugar Creek Assessor**
Mr. Mark Bird made motion to approve \$2,000.00 to 411-21 Extra Help. Mr. Darrick Scott seconds.
- **Jail**
Mr. Mark Bird made motion to approve \$8,000.00 to 411-22 Overtime Jailers. Mr. Darrick Scott seconds. This amount is needed due to turnovers and having to pay the senior people for double shifts and overtime.
- **Public Defender**
Mr. Tim Curley made motion to approve \$2,591.00 to 446-60 Vehicles. Mr. Turk Roman seconds. This is for a new vehicle to replace one that the investigators drive that was totaled in an accident. There will need to be an Additional Appropriation next year in addition to this amount.
- **Commissioners**
Mr. Mark Bird made motion to approve \$648.00 to FICA and \$814.00 to PERF. Mr. Darrick Scott seconds.

All members voting aye with roll call taken by Ms. Kylissa Miller, Chief Deputy Auditor, motion passes for Additional Appropriation Ordinance 2006-36, and is adopted.

Additional Appropriation Ordinance 2006-37

- **Health**
Mr. Mark Bird made motion to approve \$2,600.00 to 42100 Office Supplies, \$2,600.00 to 42110 Other Supplies, and \$7,600.00 to 42460 Gasoline. Mr. Tim Curley seconds. All members voting aye with roll call taken by Mr. Kylissa Miller, Chief Deputy Auditor, motion passes, ordinance is adopted.

Additional Appropriation Ordinance 2006-38

- **Highway**
Jerry Lindsay revised original requested amounts. Mr. Mike Morris made motion to approve \$80,000.00 to 430-30 Liability Insurance and \$30,000.00 to 424-40 Gasoline. Mr. Brad Anderson seconds. All members voting aye with roll call taken by Ms. Kylissa Miller, Chief Deputy Auditor, motion passes, ordinance is adopted.

Additional Appropriation Ordinance 2006-39

- **Building Inspection Non-Reverting**
Request was based on a step correction. Mr. Tim Curley made motion to approve \$933.00. Mr. Turk Roman seconds. All members voting aye with roll call taken by Ms. Kylissa Miller, Chief Deputy Auditor, motion passes, ordinance is adopted.

Additional Appropriation Ordinance 2006-40

- **E-911**
Mr. Turk Roman made motion to approve \$151,465.00 to 445-10 Equipment. Mr. Time Curley seconds. All members voting aye with roll call taken by Ms. Kylissa Miller, Chief Deputy Auditor, motion passes, ordinance is adopted.

Salary Ordinances

Salary Ordinance 2006-14

- **Adult Protective Services**
Mr. Tim Curley made motion to approve \$27,500.00 to 411-30 Investigator (N/R). Mr. Darrick Scott seconds. All members voting aye with roll call taken by Ms. Kylissa Miller, Chief Deputy Auditor, motion passes, ordinance is adopted.
- **Reassessment**
Ordinance was amended to be retroactive to November 6, 2006. Mr. Tim Curley made motion to approve amended ordinance to assign Grade 11 to 411-30 Network Technician. Mr. Mark Bird seconds. All members voting aye with roll call taken by Ms. Kylissa Miller, Chief Deputy Auditor, motion passes, ordinance is adopted.

Salary Ordinance 2007-1

- **Adult Protective Services**
\$27,500.00 to 411-30 Investigator (N/R)
- **Reassessment**

Assign 411-30 Network Technician to Grade 11

- **Commissioners**
\$29,805.00 to 411-30 County Attorney (N/R)

Mr. Darrick Scott made motion to approve Salary Ordinance 2007-1. Mr. Tim Curley seconds. All members voting aye with roll call taken by Ms. Kylissa Miller, Chief Deputy Auditor, motion passes, ordinance is adopted.

Reports from select committees.

There were none.

Resolutions extending the approval, authority or agreement of the Council.

Resolution for Re-Allocation of Existing Appropriations 2006-14

Mr. Mike Morris made motion to approve the resolution to reallocate existing appropriations within Prosecutor Title IV-D and Veteran's Assistance Funds. Mr. Turk Roman seconds. All members voting aye with roll call taken by Ms. Kylissa Miller, Chief Deputy Auditor, motion passes, resolution is adopted.

Resolution 2006-13 (Amended)

Mr. Bob Hellmann proposed an amendment to Riley portion of Resolution 2006-13 to change the Special General Fire Levee to \$125,876.00 and change the Special General Fund Fire Budget to \$207,000.00. Mr. Bob Hellmann made motion to approve amendment of the Resolution. Mr. Mark Bird seconds. Ms. Kylissa Miller, Chief Deputy Auditor took roll call with Mr. Bob Hellmann, Mr. Tim Curley, Mr. Darrick Scott, Mr. Mark Bird, and Mr. Turk Roman voting aye and Mr. Mike Morris and Mr. Brad Anderson voting nay, motion passes.

Mr. Bob Hellmann is troubled with the inability of Council to provide for HCFPD as the State provided. The problem with Council passing levy is taking money from other units to help FPD. Mr. Bob Hellmann made motion to adopt Amended Resolution. Mr. Mark Bird seconds. Ms. Kylissa Miller took roll call with Mr. Bob Hellmann, Mr. Tim Curley, and Mr. Darrick Scott, Mr. Mark Bird, and Mr. Turk Roman voting aye and Mr. Mike Morris and Mr. Brad Anderson voting nay, motion passes, adopted as amended.

Honorary Resolutions

Honorary Resolution

Mr. Bob Hellmann honoring the service of Commissioner Bill Bryan. Mr. Mike Morris made motion to approve Honorary Resolution. Mr. Brad Anderson seconds. All members voting aye, motion passes. Mr. Brad Anderson presented the plaque.

Honorary Resolution

Mr. Bob Hellmann honoring the service of Mr. Turk Roman. Mr. Brad Anderson made motion to approve Honorary Resolution. Mr. Darrick Scott seconds. All members voting aye, motion passes. Mr. Brad Anderson presented the plaque.

Resolutions relating to fiscal policies of the Council.

There were none.

Appointments.

There were none.

Adjournment.

Mr. Brad Anderson made motion to adjourn the meeting. Mr. Darrick Scott seconds. This motion was unanimously adopted. Council adjourned at 9:42 P.M.

Presented to the Vigo County Council, read in full and adopted as written this 30th day of January 2007.

AYE		NAY
_____	Brad Anderson	_____
_____	Mark Bird	_____
_____	Tim P. Curley	_____
_____	Kathy Miller	_____
_____	I. Mike Morris	_____
_____	Darrick C. Scott	_____

Robert Hellmann, President

Attest:

James W. Bramble
Auditor

